## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:17-cv-00317-MOC-DCK

THOMASINA BURROWS,	)	
Plaintiff,	)	
v.	) ORDEI	R
CHARLOTTE-MECKLENBURG BOARD OF EDUCATION MARION BISH CHAUNEL JOHNSON,	) ) ) )	
Defendants.	)	

THIS MATTER is before the court on the defendants' Motion to Dismiss (#12). Subsequent to the filing of this Motion, the plaintiff has filed a Second Amended Complaint (#14). While beyond the limitations on unilateral amendments that will moot motions to dismiss under Rule 15(a)(1), the defendants' Motion to Dismiss is rendered moot by the filing of this Second Amended Complaint inasmuch as plaintiff obtained defendants' consent under Rule 15(a)(2).

## **ORDER**

IT IS, THEREFORE, ORDERED that the defendants' Motion to Dismiss (#12) is **DENIED** without prejudice as it has been rendered **MOOT** by the filing of the plaintiff's Second Amended Complaint (#14).

Signed: August 17, 2017

